

REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on August 3, 2005 and is being filed pursuant to a Request for Continued Examination (RCE) as provided under 37 CFR 1.114. At the time the Examiner mailed the Office Action claims 11-44 were pending. By way of the present response the Applicants have: 1) amended claims 11, 13, 19-22, 29, and 37-39; 2) added no new claims; and 3) canceled claims 18 and 36. As such, claims 11-17, 19-35, and 37-44 are now pending. The Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

Claim Rejections

35 U.S.C. 112 Rejections

The Examiner rejected claims 12, 14, and 22 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 13 in a non-narrowing manner to clarify what Applicant is claiming.

Applicant has amended claim 22 in a non-narrowing manner to clarify what Applicant is claiming.

35 U.S.C. §102(e) Rejections

The Examiner rejected claims 11-21, and 29-44 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,286,047 (hereinafter "Ramanathan").

Ramanathan describes a "discovery process for enabling automated detection of service elements and/or services that are utilized by a specific network to provide a particular service." (Ramanathan, col. 5, lines 59-62.) This discovery process is broken down into two phases. (Ramanathan, see, for example, abstract; col. 6, line 22 to col. 8 line 3; col. 9, line 25 to col. 31, line 17.) "In the first phase, the services and service elements are detected, as well as a first set of dependencies. The second phase is based on results of the first phase and is focused upon detecting inter-service dependencies, i.e., conditions in which proper operation of one service relies upon at least one other service." (Ramanathan, abstract.) The "first phase of discovery is performed from a management station." (Ramanathan, col. 25, lines 32-33.) Furthermore, Ramanathan uses a service model instance to "map[] services and service elements that exist in a particular ISP system." (Ramanathan, col. 9, lines 12-14.) This service model instance can then be represented "as a graph of nodes and edges that identify dependencies of the nodes." (Ramanathan, col. 9, lines 20-22.)

With respect to claims 11 and 29, Ramanathan does not describe what Applicant's claim requires. Specifically, Ramanathan does not at least describe:

A method comprising:
logically grouping a plurality of components at a data
center into a single meta-server;
defining one or more hierarchical relationships between
each of said components including one or more

associations, dependencies and/or prerequisites, said hierarchical relationships providing information related to network operations at said data center; and
using said information for one or more network management functions at said data center, wherein one of said network management functions is to initialize one or more of said system components at said data center and said defined hierarchical relationships between each of said system components is used to determine an appropriate order in which to initialize said one or more components.

Ramanathan simply discovers services and relationships between services.

While this discovery (or at least a portion of it) is performed by a so-called “management station,” no network management functions are performed.

Ramanathan does describe creating “a graph of nodes and edges that identify dependencies of the nodes” but does not allow these nodes to be managed.

Ramanathan cannot “initialize” anything – it simply discovers services and relationships and displays them graphically. Accordingly, Ramanathan does not describe what Applicant’s claim 11 or 29 requires.

With respect to claim 40, Ramanathan does not describe what Applicant’s claim requires. Specifically, Ramanathan does not at least describe:

A method comprising:
defining one or more logical hierarchical relationships between a plurality components on a network including one or more associations, dependencies and/or prerequisites, said logical hierarchical relationships providing information related to network operations; and
executing a simulation of said network operations based on said hierarchical relationships between said components.

As discussed above, Ramanathan simply discovers services and relationships between services. While this discovery (or at least a portion of it) is performed by a so-called “management station,” no network management functions are performed. Ramanathan does describe creating “a graph of nodes and edges that identify dependencies of the nodes” but does not allow these nodes to be managed. Ramanathan does not simulate network operations, but, rather, simply discovers and graphically illustrates services and relationships. Accordingly, Ramanathan does not describe what Applicant’s claim 40 requires.

35 U.S.C. §103(a) Rejections

The Examiner rejected claims 22-28 under 35 U.S.C. §103(a) as being unpatentable over Ramanathan in view of U.S. Patent Application Publication 2001/0052013 (hereinafter “Munguia”).

Munguia describes an ONM tool. (Munguia, paragraph 0081.) The ONM tool “implements an ONM domain server which is one component part of a back-end MCI intranet.” (Munguia, paragraph 0081.) The ONM tool provides customers “with the ability to request, specify, receive and view data pertaining to their Vnet network management assets, e.g., Vnet number routing plans, calling card inventories, etc., and to generate orders for changing aspects of the Vnet routing plans via a World Wide Web interface.” (Munguia, paragraph 0018.)

With respect to claim 22, the combination of Ramanathan and Munguia does not describe what Applicant’s claim requires. Specifically, the combination does not at least describe:

A meta-server comprising:

- a plurality of front end Web servers to process client requests for Web pages;
- a plurality of back-end servers to perform various back-end processing functions associated with said client requests;
- a controller to define one or more logical hierarchical relationships between each of said components including one or more associations, dependencies and/or prerequisites, said hierarchical relationships providing information related to network operations at said data center and to use said information for one or more network management functions at said meta-server, wherein one of said network management functions is to initialize one or more of said system components at said data center and said defined hierarchical relationships between each of said system components is used to determine an appropriate order in which to initialize said one or more components.

As discussed above, Ramanathan simply discovers services and relationships between services. While this discovery (or at least a portion of it) is performed by a so-called “management station,” no network management functions are performed. Ramanathan does describe creating “a graph of nodes and edges that identify dependencies of the nodes” but does not allow these nodes to be managed. Munguia describes altering “network calling” attributes. The combination does not describe the initializing of system components. Additionally, there is no motivation to combine Munguia and Ramanathan. Accordingly, the combination does not describe what Applicant’s claim 22 requires.

As the remaining claims are dependent upon claims 11, 22, 29, and 40, they are allowable for at least the same rationale.

In light of the comments above, the Applicant respectfully requests the allowance of all claims.

CONCLUSION


For the reasons provided above, applicant respectfully submits that the current set of claims are allowable. If the Examiner believes an additional telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Thomas C. Webster at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Thomas C. Webster
Reg. No. 46,154

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300